

# Congress of the United States

Washington, DC 20515

July 15, 2011

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Chairman Julius Genachowski  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

Chairman Genachowski:

We are writing today to inquire about the status of application BPH-20091016AEO pending before the Federal Communications Commission. Specifically, we understand the licensee of FM station KCLS(FM), Pioche, Nevada, filed an application in October 2009 seeking to modify its facilities and to change its community of license to Leeds, Utah. It appears that the application, which would have significant benefits to the people of both Utah and Nevada, has been pending before the Commission for over twenty months now.

It is our understanding that while there is some complexity involved in the proposed modification sought by KCLS(FM), the applicant has recently amended its application further to address a change in the Commission's rules that came about during the lengthy period of time the application was pending. Still, we do not understand the FCC's inability to act in a timely manner.

We would appreciate an update on the status of this long-pending application and the basis for the delay in granting the proposal. It is our understanding that the application meets the rules and processing guidelines that were in place at the time it was initially filed, as well as the further criteria established by the Commission's recently revised rules governing modifications to radio stations. The licensee has expended considerable sums of money in purchasing the station and processing a hybrid rulemaking to move KCLS(FM) to Leeds, Utah, including the payment of the costs of a non-commercial station, which is now operating in Pioche, Nevada, to "backfill" KCLS(FM)'s move to Leeds.

On behalf of the licensee, whose principal owners are constituents, we would appreciate your assistance in this matter and in reaching our common goal of improving radio service to the citizens of Utah.

Sincerely,

  
Rob Bishop  
Member of Congress

  
Jim Matheson  
Member of Congress



FEDERAL COMMUNICATIONS COMMISSION

September 19, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Rob Bishop  
U. S. House of Representatives  
123 Cannon House Office Building  
Washington, D. C. 20515

Dear Congressman Bishop:

Thank you for your letter regarding the application filed by Canyon Media Group, LLC, seeking authorization to modify the facilities of station KCLS(FM). I appreciate learning of your interest in this matter.

The Canyon application contained contingencies and technical issues that had to be addressed before the Commission could proceed. In its application, Canyon indicated that its proposal was contingent upon the grant of an application filed by Lincoln County School District to relocate KLYX(FM) to Pioche, Nevada. Canyon also disclosed that its proposed allotment site did not meet spacing requirements with respect to a new FM station authorized to Cochise Media Licenses, LLC, in Peach Springs, Arizona. Accordingly, Commission staff could not make a determination on Canyon's application until it acted on Lincoln's application as well as Cochise Media's change of allotment proposal, which addressed the short-spacing issue.

Shortly after the Lincoln and Cochise Media applications were approved, the Commission adopted a *Second Report and Order* revising its policies concerning community of license changes as part of an ongoing proceeding to promote radio service to rural communities. Canyon recently submitted an amendment to its pending application, asserting compliance with the new policies. Canyon's amended application is under review in the Commission's Media Bureau and I anticipate that staff will act on the application or notify Canyon that additional information is needed in the near future.

Thank you for sharing your concerns with me on this matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,



Julius Genachowski



FEDERAL COMMUNICATIONS COMMISSION

September 19, 2011

JULIUS GENACHOWSKI  
CHAIRMAN

The Honorable Jim Matheson  
U.S. House of Representatives  
2434 Rayburn House Office Building  
Washington, D. C. 20515

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A handwritten signature in black ink, appearing to be "J. Genachowski", written over a horizontal line.

Julius Genachowski